

NOV 08 2005

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**


To Commissioner For Patents

Please enter the following submission and withdraw the finality of the proceeding office action or withdraw any pending appeal and reopen prosecution before the Examiner.


Application Number	09/894,389
Filing Date	June 28, 2001
First Named Inventor	MICHAEL EPSTEIN
Group Art Unit	2132
Examiner Name	Kambiz Zand
Attorney Docket Number	PHUS 010313

This is an RCE under 37 C.F.R. § 1.114 of the above-identified application (which is made prior to: payment of issue fee; abandonment; notice of appeal to the CAFC; or commencement of civil action under 35 U.S.C. 145 or 146.)

1. **Submission required under 37 C.F.R. § 1.114**a. ☒ Previously submittedi. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on October 3, 2005
(Any unentered amendment(s) referred to above will be entered).ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____iii. ☐ Other _____b. ☐ Enclosedi. ☐ Amendment/Replyii. ☐ Affidavit(s)/Declaration(s)iii. ☐ Information Disclosure Statement (IDS)iv. ☐ Other _____ (may not be a brief)2. **Miscellaneous**a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (May not exceed 3 months; Fee required per 37 C.F.R. § 1.117(l))b. ☐ Other _____3. **Fees**a. ☒ The Commissioner For Patents is hereby authorized to charge all required fees except the issue fee or credit any overpayments, to Deposit Account No. 14-1270**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print Type)	EDWARD W. GOODMAN	Registration No. (Attorney/Agent)	28,613
Signature		Date	November 8, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office tel#: <u>571-273-8300</u> on the date below:			
Name (Print Type)	EDWARD W. GOODMAN		
Signature		Date	November 8, 2005